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# Notice of Allowability

Application No.

10/709,075

Examiner

Helen Rossoshek

Applicant(s)

WU, YUAN-HSUN

Art Unit

2825

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 09/06/2006.
2. ☒ The allowed claim(s) is/are 1-3, 10 and 11.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20061027.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Paul Dinh*  
 PAUL DINH  
 PRIMARY EXAMINER

### **DETAILED ACTION**

1. This office action is in response to the Application 10/709,075 filed 04/12/2004 and amendment filed 09/06/2006.

2. Claims 1-3, 5-9 remain pending in the Application. Claim 4 has been cancelled.

3. Applicant's arguments have been fully considered and are persuasive.

4. Claims 1-3, 10 and 11 are allowed.

### **EXAMINER'S AMENDMENT**

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

6. Authorization for this examiner's amendment was given in a telephone interview with Winston Hsu (Registration No. 41,526) on 10/26/2006.

7. The application has been amended as follows:

#### **To claims**

Cancel claims 5-9

Claim 1 line 11 after "coordinate" insert --, wherein  $S_1 = 3L$ --

Create claims 10 and 11 as follows:

10. A test key layout, comprising:

a first test pattern substantially disposed at a center position of a test key area, wherein said first test pattern consists of a pair of rectangular shaped symmetric

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patterns having a length  $L$  and a width  $W$ , and wherein said test key area comprises a reference X-Y coordinate;

a second test pattern arranged in proximity to said first test pattern in 45 degree directions with respect to said first test pattern; and

a third test pattern disposed next to said first test pattern along an X axis of said reference X-Y coordinate;

a fourth test pattern disposed a distance  $S_1$  from said first test pattern along a Y-axis of said reference X-Y coordinate,

wherein said second test pattern is disposed a distance  $S_2$  from said third test pattern and  $S_2 = L$ .

11. A test key layout, comprising:

a first test pattern substantially disposed at a center position of a test key area, wherein said first test pattern consists of a pair of rectangular shaped symmetric patterns having a length  $L$  and a width  $W$ , and wherein said test key area comprises a reference X-Y coordinate;

a second test pattern arranged in proximity to said first test pattern in 45 degree directions with respect to said first test pattern; and

a third test pattern disposed next to said first test pattern along an X axis of said reference X-Y coordinate;

a fourth test pattern disposed a distance  $S_1$  from said first test pattern along a Y-axis of said reference X-Y coordinate,


wherein said third test pattern is disposed a distance  $S_3$  from said first test pattern and  $S_3 = W$ .

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helen Rossoshek whose telephone number is 571-272-1905. The examiner can normally be reached on 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Chiang can be reached on 571-272-7483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
PAUL DINH  
PRIMARY EXAMINER

Helen Rossoshek  
Examiner  
Art Unit 2825